

**PLANNING COMMISSION
MEETING MINUTES
MAY 21, 2003**

I. CALL TO ORDER

The meeting was called to order at 7:32 p.m.

Robert Miller gave an update on one of our board members, Mary Margaret Brandt. She has just recently been shipped out on temporary duty to Afghanistan for 90 days and hopes to be back to the board by September.

II. ROLL CALL

Present: F. Davis, R. Miller, F. Annexing, C. Knapp, N. Bosket

Absent: R. Johnson, G. Clark, J. Adams, M. Brandt – all excused

Staff: N. Voght, City Planner
N. Schuette, Secretary

III. APPROVAL OF MINUTES – April 16, 2003

R. Miller moved to approve of the minutes of April 16, 2003 (Support: N. Bosket) and the motion carried unanimously.

IV. AUDIENCE PARTICIPATION

None

V. OLD BUSINESS

1. Cross Street Area Master Plan Amendments

Voght presented the flyer that was sent to all property owners and current residents, reminding the board members that the meeting will be held at the Senior Center, May 28th 7-9 p.m. He gave a short review of the plans to have comment cards and maps to try to get as much information as

possible during this meeting. This will not be a structured meeting, more informal, thereby giving people an opportunity to feel comfortable enough to voice their concerns to any individual board/staff member.

VI. NEW BUSINESS

1. 36 E. Cross and 35 Photo

Vogt made the staff presentation by stating that in January, he was contacted by Bill and Jerry French as well as Don McMullen, Architect, who indicated they had intentions to pave the parking lot behind Cady's Restaurant, behind 36 E. Cross. This parking lot also backs up to a residential property on Photo Street that had a fire event about 1-1/2 years ago. The intention of Bill French is to purchase 35 Photo, do some parking for the tenants of that structure as well as above 36 E. Cross and then also provide about 15 spaces behind Cady's for their patrons.

The City is involved with this project in that there is an agreement that they will pick up part of the bill for the alley. They will provide some landscaping, dumpster enclosure behind Cady's, 15 parking spaces and possibly a secondary connection to Photo Street.

Regarding 35 Photo, this area is zoned B-3 Downtown zoning – single family homes are not allowed in the downtown zoning, therefore, this house when it burned was non-conforming. When a structure burns that houses a non-conforming use beyond a certain extent, it can not be rebuilt as single family. In discussing this with Bill/Jerry French, they were trying to come up with ways to stay under the 50% threshold cost of restoration. They worked out very detailed estimates and submitted a building permit and did in fact, fall under that threshold to allow them to rebuild as residential which makes more sense.

Setbacks were reviewed and the only item to be addressed is the dumpster enclosure which must be at least 3ft from rear and side property line. In terms of site access and circulation, staff had some comments. The off-street parking lot behind Cady's Restaurant will continue to be primarily accessed via a 16ft wide alley from East Cross. The new parking area to the rear of 35 Photo will connect to the Cady's parking lot and provide secondary access via a ten foot wide drive from Photo Street. Staff is concerned that this new secondary access at Photo will encourage cut-through vehicles that will park in the Cady's parking lot. The applicant recently applied for building permits for 35 Photo to re-use the property as residential. The potential level of traffic will be incompatible with the single-family use of 35 Photo. In addition, the 10ft

access drive does not allow two-traffic flow. Although staff supports the concept of secondary access to the Cady's parking lot, which will ensure improved traffic flow, less congestion, and better emergency vehicle access. However, staff has concerns with the impacts of this traffic on 35 Photo and would like the applicant to address these concerns.

With regard to off-street parking, staff would like a response to potential loading space – will this occur in the front or rear?

Landscaping was reviewed and Voght requested that several items be addressed which he detailed. He also recommended that if signage is proposed that traffic directional signage be required to ensure cut-through traffic does not utilize the Photo Street access. He added that since the properties are located in the Historic District, approval is required by the Historic District Commission. Orchard Hiltz McCliment has reviewed and approved the engineering.

Voght stated that the site plan substantially complies with Zoning Ordinance standards, however, some site plan revisions will be required which he listed.

Commissioner Fosket stated that she had viewed the area in question and noted that people in other residences park on the street which would leave no room for two-way.

After further discussion among board members, C. Knapp moved to approve the Site Plan as presented for 36 E. Cross and 35 Photo with the following conditions:

1. That a revised Site Plan be submitted and reviewed by Planning staff, which addresses all the noted deficiencies.
2. Dumpster enclosure must be at least 3ft from rear and side property lines.
3. Access between 35 Photo and Cady's Parking Lot shall be eliminated to prevent commercial traffic using the narrow, 10 ft. wide residential drive on 35 Photo property.
4. Properties at 36 E. Cross and 35 Photo must be provided with an easement for off-street parking spaces.
5. Arbor Vitae must be sized as 23-4 ft minimum.
6. A screen or privacy fence is required along the eastern property boundary between the five (5) parking spaces behind 35 Photo and the adjacent house to the east.
7. The Arbor Vitae row along east property line must be widened and along the west property line must be removed or widened.

8. Widen row of Mountain Laurel to at least 3ft directly south of building.
9. Irrigation must be provided to landscaped areas.
10. The Birch should be substituted for a more suitable canopy tree for this climate, which is the southern extreme for this species.
11. Dumpster gate must be wood and 100% opaque.
12. Historic District Commission approval required for Site Plan.
13. Site Plan must comply with all engineering standards, as reviewed by City consulting engineer, OHM.
14. Provide 10% calculation on landscaping plan which will be subject to administrative review.

The motion was supported by R. Miller. A roll call vote was taken and carried with a vote of 4:1. Frank Enneking abstained due to a conflict of interest.

R. Miller asked Voght for a follow-up next month on the HDC approval to which Voght agreed.

VII. ADJOURNMENT

Since there was no further business, R. Miller moved to adjourn the meeting (Support: C. Knapp) and the motion carried unanimously. The meeting adjourned at 8:30 p.m.